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Attorneys for Respondents
ARTHUR MICHELETTI, MICHELETTI FAMILY
PARTNERSHIP, and JANICE MICHELETTI

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BANK OF AMERICA, N.A., a national
banking association,

Petitioner,

v.

MICHELETTI FAMILY PARTNERSHIP, a
California Limited Partnership, ARTHUR
MICHELETTI, an individual, and JANICE
MICHELETTI, an individual,

Respondents.

Case No. C 08-2902 JSW

**RESPONDENT ART MICHELETTI'S
STATEMENT OF NON-OPPOSITION
TO BANK OF AMERICA'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED (CIV. L.R. 3-
12)**

1 On July 29, 2008, Defendant Bank of America filed an administrative motion to consider
2 whether an action newly-removed by it, *Micheletti v. Bank of America, N.A., et al.*, Case No. CV
3 08-3557 BZ, should be related to this action.

4 The two actions have common parties, and relating them will avoid duplication of labor
5 and expense. An order relating cases is therefore appropriate. See Civ. L.R. 3-12(a).
6 Respondent Art Micheletti, Plaintiff in the removed action No. CV 08-3557 BZ, intends to move
7 to remand the removed action on the grounds that complete diversity does not exist, and further
8 contends that federal court is not the proper forum for these matters.

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10 DATED: July 30, 2008

11 **KERR & WAGSTAFFE LLP**

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13 By /s/
ADRIAN J. SAWYER

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15 Attorneys for Respondents
ARTHUR MICHELETTI, MICHELETTI FAMILY
16 PARTNERSHIP, and JANICE MICHELETTI
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